

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DEBRA A. SPAH,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of the  
Social Security Administration,

Defendant.

CASE NO. C09-5659 RJB

ORDER ADOPTING REPORT AND  
RECOMMENDATION

The Court, having reviewed the file, the Report and Recommendation of Judge J. Richard Creatura, United States Magistrate Judge (Dkt. 41) and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation (Dkt. 41).
- (2) The Court awards plaintiff Equal Access to Justice Act fees in the amount of \$8,608.16, and expenses in the amount of \$28.22. The Equal Access to Justice Act fees and expenses are subject to any offsets allowed under the Treasury Offset Program. See Astrue v. Ratliff, 130 S. Ct. 2521, 2524-2525, 2010 U.S. LEXIS 4763 (2010). Therefore, the Commissioner should contact the Department of Treasury after the Order for Equal Access to Justice Act fees and expenses is entered, in order to determine whether or not the fees and expenses are subject to

1 any offset. If they are not subject to any offset, payment of this award should be  
2 made via check payable to plaintiff. However, this check may be sent to  
3 plaintiff's attorney at: Law Office of Eitan Kassel Yanich, PLLC, 203 Fourth  
4 Avenue E., Suite 321, Olympia, WA, 98501. The same procedure should be  
5 followed for any remainder if the fees and expenses are subject to any offset.  
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7 (3) The Clerk is directed to send copies of this Order to counsel of record.

8 DATED this 20th day of May, 2011.

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11 ROBERT J. BRYAN  
12 United States District Judge  
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